

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION (ST) NO. 19463 OF 2018

Mrs. Rajni Agnihotri

... Petitioner

V/s.

The Joint Registrar, Co-operative
Societies (CIDCO) & Anr.

... Respondents

WITH

WRIT PETITION (ST) NO. 19465 OF 2018

Mrs. Rita Singh

... Petitioner

V/s.

The Joint Registrar, Co-operative
Societies (CIDCO) & Anr.

... Respondents

WITH

WRIT PETITION (ST) NO. 19474 OF 2018

Mr. Bharat Bhushan

... Petitioner

V/s.

The Joint Registrar, Co-operative
Societies (CIDCO) & Anr.

... Respondents

WITH

WRIT PETITION (ST) NO. 19480 OF 2018

Mr. Narasinga Sahu

... Petitioner

V/s.

The Joint Registrar, Co-operative
Societies (CIDCO) & Anr.

... Respondents

Dr. Abhinav Chandrachud a/w Ms. Nupur Awasthi I/b Consulta Juris for the
Petitioners.

Ms. Kavita Solunke, AGP for the Respondent No.1.

Mr. C.G. Gavnekar a/w Ashutosh Gavnekar for the Respondent No.2.

CORAM : R.D. DHANUKA, J.

DATE : 12th JULY, 2018

P.C.:

. Heard learned Counsel appearing for the parties in all these Writ Petitions arisen out of the orders passed by the Joint Registrar, Co-operative Societies (CIDCO) under Section 101 of the Maharashtra Co-operative Societies Act, 1960.

2 Dr. Chandrachud, learned Counsel appearing for the Petitioners on instructions states that his client would file Revision Application under Section 154 of the Maharashtra Co-operative Societies Act, 1960 before the Revisional Authority within two weeks from today. Statement is accepted.

3 The Respondent No.2 Society shall furnish a copy of upto date Statement of Account of each of Petitioners to the Petitioners within one week from today.

4 The Statement of Account shall also reflect the amount refundable to the Petitioners under the order dated 20.03.2018 passed by this Court in Writ Petition No. 7959 of 2016 along with other companion petitions.

5 The Petitioners would be at liberty to adjust the amount not refunded by Respondent No.2 Society to the Petitioners so far pursuant to the order dated 20.03.2018 while computing 50% of the certified amount required to be deposited under Section 154 (2A) of the Act with the Respondent No.2 Society.

6 The balance amount required to be deposited after adjusting the amount not refunded by the Respondent No.2 Society to the Petitioners shall be deposited within two weeks from the date of receipt of the Statement of Account.

7 A copy of the Revision Application proposed to be filed by the Petitioners shall be served upon the Respondent No.2 Society within one week from the date of filing before the Revisional Authority.

8 Mr. Gavnekar, learned Counsel for Respondent No.2 Society on instructions states that Respondent No.2 Society will not take any coercive steps against the Petitioners for implementing the recovery certificates which are sought to be impugned by the Petitioners before the Revisional Authority for a period of six weeks from today.

9 The Petitioners would be at liberty to seek interim relief before the Revisional Authority before expiry of six weeks and after deposit of the amount under Section 154(2A) of the Act.

10 The Revisional Authority shall decide the Revision Application upon such deposit being made by the Petitioners on its own merits and without being influenced by the fact that Respondent No.2 made a statement not to take any coercive steps against the Petitioners for a period of six weeks from today.

11 It is made clear that the balance of 50% required to be deposited under Section 154(2A), if not deposited by the Petitioners within two weeks from the date of service of Statement of Account by the Respondent No.2 Society, the Statement made by learned Counsel for the Respondent No.2 not to take any coercive steps against the Petitioners, shall stand withdrawn.

12 All contentions of the parties on merits are kept open.

- 13 All Writ Petitions are disposed of in aforesaid terms.
- 14 Parties to act on an authenticated copy of this order.

(R.D. DHANUKA, J.)